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ADAM VICTOR

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ADAM VICTOR, individually and on
behalf of all other similarly situated,

Plaintiff,
vs.

R.C. BIGELOW, INC.,

Defendant

Case No. 3:13-CV-02976-WHO

**STIPULATION RE: AMENDED PRE-
TRIAL AND TRIAL SCHEDULE;
ORDER**

Judge: Hon. William H. Orrick
Action Filed: June 27, 2013

Pursuant to Civil Local Rules Plaintiff Adam Victor, on behalf of himself and all others similarly situated ("Plaintiff"), and Defendant R.C. Bigelow, Inc. ("Bigelow"), through their undersigned counsel, hereby move and stipulate as follows:

WHEREAS, this action was filed in this Court on June 27, 2013;

WHEREAS, on January 15, 2014, Bigelow filed a Motion to Dismiss, or in the Alternative, Motion to Strike the Complaint;

WHEREAS, on February 19, 2014, the Court heard oral argument on Bigelow's Motion, which ultimately was granted in part and denied in part, with leave to amend.

WHEREAS, on April 12, 2014, Plaintiff timely filed his Amended Class Action Complaint;

WHEREAS, on May 15, 2014 Bigelow filed a Motion to Dismiss the First Amended Complaint ("Motion");

WHEREAS, on July 9, 2014 the Court heard oral argument on Bigelow's Motion and at the hearing the Court stated that the Motion would be denied at least in part and requested that the parties provide the Court a proposed stipulated schedule as to how the case should proceed after the Court issues its Order on the pending Motion to Dismiss the Amended Complaint.

WHEREAS on July 16, 2014, pursuant to the direction of the Court, the Parties entered a joint Stipulation regarding the Pretrial Schedule.

WHEREAS on July 17, 2014 this Court entered its Amended Order regarding the Pretrial Schedule setting the following dates:

Last Day to Amend Pleadings or Add Parties:	August 29, 2014
Opening Brief for Class Cert. and Expert Disclosures:	February 13, 2015
Opposition Brief and Rebuttal Expert Disclosures:	April 13, 2015
Reply Brief and Expert Discovery Cut-Off:	May 29, 2015
Class Certification Hearing:	June 17, 2015
Discovery Cut-off (Expert and Non-expert)	September 18, 2015
Dispositive Motions Heard by:	November 18, 2015
Pre-Trial Conference	February 1, 2016
Trial	February 29, 2016

WHEREAS, on July 18 .2014 this Court issued its Opinion granting in part and denying in part Defendants Motion to Dismiss.

WHEREAS, on August 7, 2014, Defendant answered the Second Amended Complaint.

WHEREAS discovery has been ongoing and diligently pursued and responded to, but the parties agree that additional time is needed to complete the necessary discovery to file and respond to the Motion for Class Certification.

WHEREAS, the parties have agreed a proposed amended schedule whereby the date for Plaintiff to file the Motion for Class Certification would be extended thirty days and would be due on March 13, 2015 and Defendant's opposition would be due on April 29, 2015. Otherwise the schedule set by the Court would remain the same, including the due date of Plaintiff's reply brief on the Motion for Class Certification, the class certification hearing, the Discovery cut-off, dispositive motions, pretrial conference and trial.

IT IS HEREBY STIPULATED AND AGREED by the parties, through their counsel to the following schedule for the related *Khasin v. R.C. Bigelow* and *Victor v. R.C. Bigelow* cases:

Last Day to Amend Pleadings or Add Parties:	August 29, 2014
Opening Brief for Class Cert. and Expert Disclosures:	March 13, 2015
Opposition Brief and Rebuttal Expert Disclosures:	April 27, 2015
Reply Brief and Expert Discovery Cut-Off:	May 29, 2015
Class Certification Hearing:	June 15, 2015
Discovery Cut-off (Expert and Non-expert)	September 18, 2015
Dispositive Motions Heard by:	November 18, 2015
Pre-Trial Conference	February 8, 2016
Trial	February 29, 2016

IT IS SO STIPULATED.

Dated: January 9, 2015

MILES D. SCULLY
TIMOTHY K. BRANSON
JONI M. BORZCIK
GORDON & REES LLP
Respectfully submitted,

/s/ Timothy K. Branson
TIMOTHY K. BRANSON
Attorneys for Defendant
R.C. BIGELOW, INC.

Dated: January 9, 2015

PRATT & ASSOCIATES

/s/ Ben F. Pierce Gore
BEN F. PIERCE GORE
Attorneys for Plaintiff
ALEX KHASIN

ECF ATTESTATION

I, Pierce Gore, am the ECF User whose ID and password are being used to file the following: STIPULATION RE: AMENDED PRE-TRIAL AND TRIAL SCHEDULE

In compliance with Civil Local Rule 5-1(i), I hereby attest that the signatories above have concurred in this filing.

Dated: January 9, 2015

By: /s/ Ben F. Pierce Gore
BEN F. PIERCE GORE
Attorney for Plaintiff

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED, as modified below:

Class Certification Hearing June 17, 2015

Pre-Trial Conference February 1, 2016

DATED: January 12, 2015

By: 
WILLIAM H. ORRICK
United States District Judge